

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LATRESHA HARRISON, *et al.*,

Plaintiffs,

v.

McKESSON CORP., *et al.*,

Defendants.

Case Nos.: 13-cv-3045-YGR  
13-cv-3050-YGR  
13-cv-3096-YGR  
13-cv-3100-YGR  
13-cv-3101-YGR

ORDER TO SHOW CAUSE REGARDING  
PLAINTIFFS' FAILURE TO COMPLY WITH  
CIVIL LOCAL RULES 7-3(D)(2)

**This Order Also Relates to:**

**Fields v. McKesson Corp.**  
**Myers v. McKesson Corp.**  
**Pandolfo v. McKesson Corp.**  
**Lamb v. McKesson Corp.**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs' counsel Sin-Ting Mary Liu and Barrett Beasley are hereby **ORDERED TO SHOW CAUSE** why they should not be sanctioned for violating Civil Local Rule 7-3(d)(2), which provides:

Once a reply is filed, no additional memoranda, papers or letters may be filed without prior Court approval, except as follows:

\* \* \*

Before the noticed hearing date, counsel may bring to the Court's attention a relevant judicial opinion published *after* the date the opposition or reply was filed by filing and serving a Statement of Recent Decision, containing a citation to and providing a copy of the new opinion--*without argument*.

Civ. L.R. 7-3(d)(2) (emphases supplied).

1 On August 15, 2013, this Court ordered the parties in the above-captioned cases to file  
2 consolidated briefs. Dkt. No. 18 (“Aug. 15 Order”). The August 15 Order provided that  
3 supplemental briefs could be filed “no later than September 3, 2013.” *Id.* at 4. “The sole purpose  
4 of the Supplemental Briefs is to address any issue particular to the individual case, as opposed to  
5 the issues common to or predominant in the seven cases” related to *Harrison*. *Id.* The August 15  
6 Order set a hearing date of September 25, 2013. *Id.* at 3.

7 Plaintiffs’ Consolidated Brief was filed on August 27, 2013. Dkt. No. 21.

8 On September 3, 2013, Plaintiffs submitted a paper styled as a “Supplemental Brief  
9 Opposing Stay and Supporting Remand.” Dkt. No. 23. Attached to the paper are four exhibits  
10 containing several judicial opinions, some but not all of which issued after Plaintiffs’ Consolidated  
11 Brief. *Compare id.* Exs. 1, 4 (containing printouts of judicial opinions issued Aug. 23, 2013; Aug.  
12 29, 2013; Aug. 26, 2013; Aug. 23, 2013; and Feb. 25, 2009, respectively) *with* Plaintiffs’  
13 Consolidated Brief (filed Aug. 27, 2013). The paper states, inter alia, that the rulings “support  
14 granting Plaintiffs’ Motion to Lift Stay and Motion to Remand . . . .” *Id.* at 3. The paper is signed  
15 by Mr. Beasley, *id.* at 3, and the names of both Mr. Beasley and Ms. Liu appear in the caption, *id.*  
16 at 1.

17 On September 25, 2013, Plaintiffs submitted a paper styled as “Plaintiffs’ Notice of  
18 Supplemental Authority in Support of Motion to Lift Stay.” Dkt. No. 25. Attached as an exhibit to  
19 the paper is a slip opinion issued by the Ninth Circuit in *Romo v. Teva Pharmaceuticals USA, Inc.*  
20 on September 24, 2013. The paper states, inter alia: “The attached ruling, and the Ninth Circuit’s  
21 reasoning, support granting Plaintiffs’ Motion to Lift Stay and Motion to Remand . . . .” *Id.* at 2.  
22 The paper is signed by Mr. Beasley, *id.* at 3, and the names of both Mr. Beasley and Ms. Liu appear  
23 in the caption, *id.* at 1.


24 A hearing on this Order to Show Cause shall be held on the Court’s 9:01 a.m. calendar on  
25 **Friday, October 11, 2013**, in Courtroom 5 of the Federal Courthouse located at 1301 Clay Street,  
26 Oakland, California. Mr. Beasley and Ms. Liu must file a single, joint written response to this  
27 Order to Show Cause no later than **October 4, 2013**, explaining counsel’s failure to comply with  
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Civil Local Rule 7-3(d)(2). Mr. Beasley and Ms. Liu shall be required to appear personally at the hearing.

If the Court is satisfied with counsel's response, it will consider taking the Order to Show Cause hearing off calendar.

**IT IS SO ORDERED.**

Date: September 25, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

United States District Court  
Northern District of California